SCHEDULE THREE - APPLICATION OF THE PROVISIONS OF SECTION 30 (1) OF THE INCOME TAX ACT, 1962.

Implemented on:	29 July 2017
Last Revision on:	January 2025

The following provisions contained in section 30 (1) of the Act shall at all times apply and be adhered to while this constitution is in operation.

1. The sole object of the Association is to carry on a public benefit activity which qualifies for purposes of Section 18 A of the Act as defined in Section 30 (1) of the Act, in a non-profit manner.

2. At least 85% of the Association's activities shall be carried out in the Republic of South Africa.

3. At least 3 members who will accept fiduciary responsibilities and shall also not be connected persons to each other: and no single person directly or indirectly controls the decision making powers relating to the Association.

4. No funds will be distributed to any person other than in the course of undertaking any public benefit activity.

5. The Association's funds will be used solely for the objects for which it was established, or shall be invested with registered financial institutions as defined in Section 1 of the Financial Institutions (Investment of Funds) Act, 1984, (act no.39 of 1984) or in securities listed on a stock exchange as defined in the Stock Exchanges Control.

6. The Association will not carry on any business undertaking or trading activities other than to the extent that:

   6.1 The gross income derived from such business undertaking or trading activity does not exceed the greater of R25000 or 15% of the gross receipts of the constitution.

   6.2 The undertaking or activity is:

      6.1.1 integral and directly related to the sole object of the Association;

      6.2.2 carried out or conducted on a basis substantially the whole of which is directed towards the recovery of cost; and

      6.2.3 which would not result in unfair competition in relation to taxable entities.

   6.3 The undertaking or activity, if not integral and directly related to the sole object of such Association, is of an occasional nature and undertaken substantially with assistance on a voluntary basis without compensation or the undertaking or activity is approved by the Minister by notice in the Gazette, having regard to:

      a) the scope and benevolent nature of the undertaking or activity;

b) the direct connection and inter-relationship of the undertaking or activity with the sole purpose of the Association;

c) the profitability of the undertaking or activity; and

d) the level of economic distortion that may be caused by the tax-exempt status of the Association carrying out the undertaking or activity.

6.4 Any business undertaking or trading activities, or assets used in such undertaking or activity, acquired by the Association before 1 January 2001, will be retained or continued as the case may be, in the form so acquired for a period of five years.

7. On the dissolution of the Association, the remaining assets will be transferred to any similar public benefit organization, within the Republic of South Africa which has been approved in terms of Section 30 of the Act for the purposes of Section 18A of the Act:

a) No donation will be accepted which is revocable at the instance of the donor for reasons other than a material failure to conform to the designated purposes and conditions of such donation, including any misrepresentation with regard to the tax deductibility thereof in term of Section 18A: provided that a donor (other than a donor which is an approved public benefit organization or an institution board or body which is exempt from tax in terms of section 10(1)(cA)(i), which has as its sole or principal object the carrying on of any public benefit activity) may not impose any conditions which could enable such donor or any connected person in relation to such donor to derive some direct or indirect benefit from the application of such donation;

b) A copy of all amendments to the Constitution, trust deed, will be submitted to the Commissioner for the South African Revenue Service;

c) No renumeration will be paid to any employee, office bearer, member or person which is excessive, having regard to what is generally considered reasonable in the sector and in relation to the service rendered;

d) The Association will submit the required Income Tax Returns annually together with the relevant supporting documents;

e) The Association will, within such period as the Commissioner may determine, register in terms of section 13(5) of the Non-Profit Organisations Act, 1997 (Act No. 71 of 1997), and comply with any other requirements imposed in terms of the Act;

f) The Association has not and will not use its resources directly or indirectly to support, advance or oppose any political party.

Tabled by the Executive Council of Dressage South Africa on 13 January 2025

S Horne
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Suzanne Horne (Vice President)

05/06/2025
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Date

Resolved as being accepted as the official Policy of the Association by the Council on 13 January 20225

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Dianne Smith (President)

05/06/2025
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Date